

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services proposes to amend Chapter 77, “Conditions of Participation for Providers of Medical and Remedial Care,” Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services,” and Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” Iowa Administrative Code.

The proposed amendments add a new provider type to the Medicaid program. The purpose of the new provider type will be to enroll public health agencies that provide immunizations and testing for communicable disease.

Increasingly, public health agencies are terminating their Medicaid enrollment as home health agencies (HHAs). While HHAs can bill Medicaid for immunizations, many of these public health agencies do not qualify to enroll in Medicaid as another provider type which has services including immunizations and testing for communicable disease as covered services. These amendments will allow public health agencies to continue to provide services and bill Medicaid when the agencies are no longer eligible to provide home health services.

Any interested person may make written comments on the proposed amendments on or before August 14, 2012. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by e-mail to policyanalysis@dhs.state.ia.us.

These amendments do not provide for waivers in specified situations because they confer a benefit on public health agencies that provide immunizations and testing for communicable disease. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 249A.4.

The following amendments are proposed.

ITEM 1. Adopt the following **new** rule 441—77.42(249A):

441—77.42(249A) Public health agencies. Public health agencies are eligible to participate in the medical assistance program when they comply with the standards for designated local public health agencies pursuant to Iowa Code sections 135A.2(8) and 135A.6.

This rule is intended to implement Iowa Code section 249A.4.

ITEM 2. Adopt the following **new** rule 441—78.48(249A):

441—78.48(249A) Public health agencies. Payments will be made to public health agencies on a fee schedule basis for providing vaccine and vaccine administration and testing for communicable disease. In order to be paid for the administration of a vaccine covered under the Vaccines for Children (VFC) program, a public health agency must enroll in the VFC program. Payment for the vaccine will be approved only if the VFC program stock has been depleted.

This rule is intended to implement Iowa Code section 249A.4.

ITEM 3. Amend subrule **79.1(2)** by adopting the following **new** provider category in alphabetical order:

<u>Provider category</u>	<u>Basis of reimbursement</u>	<u>Upper limit</u>
Public health agencies	Fee schedule	Fee schedule rate.

ITEM 4. Adopt the following **new** subparagraph **79.3(2)“d”(41)**:

(41) Services of public health agencies:

1. Service or office notes or narratives.
2. Immunization records.
3. Results of communicable disease testing.